

Appln No. 09/899,827
Amdt date December 19, 2006
Reply to Office action of September 19, 2006

REMARKS/ARGUMENTS

Claims 1-29 were pending in this application when last examined by the Examiner. Claims 1, 18, 21, and 23 have been amended. Claims 30-31 have been added. The amendments find full support in the original specification, claims, and drawings. No new matter has been added. In view of the above amendments and remarks that follow, reconsideration and an early indication of allowance of the now-pending claims 1-31 are respectfully requested.

As an initial matter, Applicant notes that the Office Action Summary indicates that this action is final. Applicant assumes that this is a mistake given that the current Office action is in response to a Request for Continued Examination dated June 21, 2006. In fact, the Detailed Action does not indicate that the action is final. Accordingly, Applicant respectfully requests that the Examiner indicate that the current action is not final.

Claims 1 and 21 are rejected under 35 U.S.C. 112, second paragraph, for lack of antecedent basis. Applicant submits that the amendments to claims 1 and 21 now overcome this rejection. Withdrawal of the rejection is respectfully requested.

Claims 1-22, 18, and 23 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant submits that the amendments to claims 1, 18, and 23 now overcome this rejection. Withdrawal of the rejection is respectfully requested.

Claims 1-10, 12-21, 23, and 26-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Iatropoulos et al. (U.S. Publication No. 2002/0100039) (hereinafter Iatro). Applicant respectfully traverses this rejection.

Iatro describes an Interactive Media Creator (IMC) system with a front-end located at a television facility, and a server 22. (0015). The front-end is used to generate an interactive prompt which appears during a television program. (0022-0023). The interactive prompt is saved at the server 22 and provided to a character generator also located at the television facility, over an Internet connection. (0023). The character generator inserts the prompt into the broadcast signal that produces the television program. (0023). The program with the interactive

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prompt is then broadcast by the broadcaster to each viewer's television set over a transmission medium (0023). Thus, in Iatro, the interactive prompt that is to be displayed during the television program is transmitted along with the broadcast program. There is no teaching or suggestion of "a content creator that includes tools . . . for generating . . . client files to be provided to remote clients prior to the broadcast event, the client files including interactive components . . ." as is required by claim 1. (Emphasis added).

Iatro further fails to teach or suggest "interactive components that are responsive to messages sent from a server during the interactive event to cause the remote clients to display the interactive components that are indicated by the messages," or a "server-based user interface . . . causing the messages to be provided to the remote clients during the interactive event to control the display of the interactive components on the remote clients during the event." (Emphasis added). Instead, in Iatro, the user's station receives and displays the interactive prompts which have been inserted into the broadcast program. Iatro makes no mention of messages being transmitted to the user's station from a server during the interactive event to control the display of the prompts during the interactive event. Although the user station in Itoh is able to communicate with the server through an Internet connection in response to the interactive prompts that have been displayed, there is no teaching or suggestion in Itoh that the server transmits any kind of messages to the user's station to control the display of the interactive prompts. (See, 0020). Accordingly, claim 1 is now in condition for allowance.

Independent claim 23, as amended, recites a "server-based graphical user interface . . . wherein the server-based graphical user interface causes messages to be provided to the remote clients during the broadcast event to control the display of at least a portion of the interactive content." As discussed above with respect to claim 1, Iatro fails to teach or suggest this limitation. Accordingly, claim 23 is now in condition for allowance.

Claims 2-22 and 24-29 are also in condition for allowance because they depend on an allowable base claim and for the additional limitations that they contain.

With respect to claims 11, 22, and 24-25, these claims are rejected under 35 U.S.C. 103(a) as being unpatentable over Iatro in view of Official Notice. Applicant respectfully

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traverses the Official Notice. Although it may be well-known to use icons in computer systems generally, Applicant respectfully disagrees that it is well-known to have "icons representing individual items of interactive content to be displayed during at least a segment of the event," as is required by claim 11, or where the icons are "representations of each item of content scheduled to be displayed during the broadcast event," as is required by claim 24. In addition, although chat rooms in general may be well-known, Applicant respectfully disagrees that it is well-known that "the content creator is responsive to a producer for enabling a chat functionality during some or all of an event" as is required by claim 22, or that "at least some of the icons represents questions and responses for display to viewers of an event, the questions being related to the event" as is required by claim 25. Accordingly, Applicant requests evidence support the assertion that the claim limitations of claims 11, 22, and 24-25 are well-known.

Claims 30-31 are new in this application. Claims 30 and 31 are also in condition for allowance because they depend on an allowable base claim, and for the additional limitations that they contain. Specifically with respect to claim 30, this claim further specifies that "the remote clients receive the broadcast event." With respect to claim 31, this claim further specifies that the "messages are transmitted over a data communications network, and the broadcast event is broadcast over a television broadcast medium." None of these limitations are taught nor suggested by Iatro.

In view of the above amendments and remarks, reconsideration and an early indication of allowance of the now-pending claims 1-31 are respectfully requested.

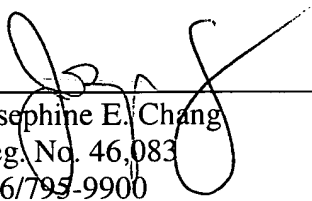
Applicant respectfully requests that all future correspondence be directed to the undersigned at the address indicated below. An Assignee's Substitution of Attorney with Change

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of Address for Correspondence by Assignee was filed today. A copy of the form that was filed is enclosed for the Examiner's reference.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By


Josephine E. Chang
Reg. No. 46,083
626/795-9900

JEC/lal

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